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Legal Services Corporation
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Dear Ladies and Gentlemen:

Please find enclosed three copies of *Pennsylvania Agenda for Legal Services, 1998-2001: The Action Plan for a Statewide Integrated Legal Services Delivery System*. This is a report on the state planning process conducted in 1997 and 1998 by the Pennsylvania statewide legal services community. The report is submitted in accordance with your Program Letter 98-1 of February 12, 1998, and Program Letter 98-6 of July 6, 1998.

We appreciate very much the leadership that LSC provided early in 1998 in initiating the state planning process. We believe the LSC Program Letters have presented an opportunity for Pennsylvania to carry out a planning process that can dramatically improve access to legal services and place the legal services community in control of its destiny and its mission. We have undertaken the process in that spirit and are excited by its results to date.

We also appreciate the contributions of the LSC Program Officers assigned to Pennsylvania, John Eidelman and Robert Gross, throughout this process. We look forward to a continuing partnership with them and with the rest of the LSC staff as we move forward into the next phase of this ongoing process.

If you have any questions about this report or about the Pennsylvania state planning process, please feel free to contact Mr. Marcus Williams, Executive Director of Pennsylvania Legal Services, at (717) 236-9486.

Sincerely,

Eve Biskind Klothen
Chair, Pennsylvania State Planning Steering Committee

Pennsylvania Agenda For Legal Services 1998-2001



October 1, 1998

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Executive Summary

In April of 1997, the Pennsylvania legal services community began a statewide process to plan a state civil legal services system that could assure low income persons in every community have equal access to justice. Regional discussions were underway by fall of 1997, and a broadly representative State Planning Steering Committee was formed early in 1998. Under the Committee's guidance, eleven planning task forces, comprised of more than 100 volunteers representing a wide range of stakeholders, explored potential capacities that could define a statewide, integrated legal services system and developed proposals for action and change.

By the end of September, 1998, the state planners had reached a consensus on a blueprint for an integrated, statewide system and had received approval for this plan in concept by four of the five principal statewide stakeholder organizations — Pennsylvania Legal Services, IOLTA, the Pennsylvania Clients Council, and the Pennsylvania Project Directors Association. (The fifth entity, the Pennsylvania Bar Association, had not yet had an opportunity to officially consider the plan by the date this report was due. Its approval is being sought.)

The plan has five major elements:

1. **System integration.** Pennsylvania's legal services system will be transformed over the next three years from a confederation of independent programs into a statewide, integrated delivery system.
2. **A new statewide structure** will be created in the next phase of the planning process to guide and manage the total integrated statewide system. It will have the following components:
 - **Local client-based planning** of service needs and priorities by independent, community-based legal services programs (geographic and specialty).
 - **Regional planning councils** responsible for developing and implementing the most cost-effective and comprehensive delivery system for their region through collaboration and appropriate reconfiguration. Programs will be provided with technical assistance and guidance in exploring merger possibilities.
 - **Ongoing state planning for experimentation and innovation**, carrying forward the planning effort and structure used to develop the initial blueprint for the integrated statewide system.
 - **Central governance of the statewide integrated system.** Four state level organizations — PLS, IOLTA, PBA and PPDA — have committed to creating the system and providing oversight to ensure its success. A four-person *Statewide Legal Services Steering Committee* will oversee and guide the transformation of the legal services network from a confederation of independent programs to an integrated statewide system. A *State Planning Council* will guide the ongoing statewide planning process through its next phases. This structure will be evaluated at the end of two years, in consultation with the statewide legal services community, and appropriate changes will be made to address issues arising out of the evaluation.

- **Five statewide core support functions** will be established:
 - Intake, advice and referral systems
 - Resource development
 - Technology
 - Training
 - Program assessment

Staffing and startup of these will be managed by the Statewide Steering Committee and ongoing management and accountability will be provided by PLS.

3. Five strategic initiatives will be undertaken immediately to build the capacities envisioned in the blueprint:

- **Intake, advice and referral:** a blueprint for a statewide network of intake systems that meet state "touchstones;" a state Task force with staff support providing leadership and coordination
- **Technology:** a plan to build a state wide communication system linking all service providers, programs and support system; minimum program standards of technological capability; establish a statewide technology coordinator; a state task force providing leadership.
- **Training:** pilot test a new structure for managing statewide training; Training and Legal Information Coordinator established; five senior attorneys assigned to lead substantive area task forces
- **Resource Development:** a statewide Resource Development Committee formed, overseeing a three-year rolling Statewide Resource Development Plan; a State Resource Development Coordinator position funded and staffed; a 15-point strategic plan proposed to preserve and expand existing funding sources and develop new funding streams at the state and local levels.
- **Statewide Accountability for Quality, Efficiency and Client Access to Services:** formal regions and regional planning councils formed; technical assistance in regional planning; support for program merger planning; core support functions established in PLS; statewide steering committee established responsible for statewide planning; program assessment used as a tool for assuring quality of service and client access to a full range of services everywhere in the state.

4. "Regionalization" is a key to the future of legal services in Pennsylvania. The legal services community took a dramatic step forward in September, 1998 as programs began meeting on a regional basis to explore possibilities for collaboration and reconfiguration. From these meetings a working definition of "minimum level of collaboration" needed to make regionalization work was developed. This work will proceed during the latter part of 1998 and early 1999.

5. Commitment to planning as an ongoing process for development and innovation. The Pennsylvania legal services community has committed to a new structure and an ongoing process of transforming itself into an integrated system that will assure low income persons in every Pennsylvania community have equal access to justice.

Part I:

Overview Of The State Planning Process

A. The Process: *Leadership voices throughout the state are asked to plan a new kind of system.*

The planning goal. In April of 1997, ten months prior to LSC's program letter which called for statewide planning, Pennsylvania Legal Services (PLS) launched a planning effort with the Pennsylvania legal services community. By fall of 1997, geographic "regions" had been identified and discussions were underway regarding opportunities for regional collaboration among programs aimed at improving client access to services and program efficiency. In February of 1998, the process was formalized with the creation of a State Planning Steering Committee. All stakeholders were asked to participate by nominating representatives to serve on task forces and committees being established.

The goal was to plan a state civil legal services system that could assure low income persons have equal access to justice in every community. It would be a system that can:

- Identify and deploy resources to address the legal needs of low income people
- Respond to the most pressing needs of low income clients
- Assure quality by measuring the effectiveness of services and the outcomes achieved for clients
- Meet appropriate standards of advocacy in serving clients
- Empower clients
- Overcome geographic and institutional barriers
- Be responsive to local issues and needs.

The intent was the integration of all programs and players to function as a statewide system that can be planned, financed and managed to meet this vision.

Potential capacities. In February, 1998 a State Planning Steering Committee representing all participants in the legal services community was in place to steer the process. (See Appendix A for membership.) The Committee decided to explore 11 potential capacities that could define a statewide, integrated services system.

Seven of the capacities had been identified by the Legal Services Corporation in its vision of an integrated system (Program Letter 98-1, February, 1998).

1. Intake, Advice and Referral Systems
2. Technology (computer and phone systems)
3. Barriers To Access (access to courts, community education, self-help)
4. Training (of staff and pro bono attorneys)
5. Private Attorney Involvement
6. Statewide Financial Resource Development

7. Configuration of Programs

Four additional capacities were identified by the Steering Committee:

8. Law School Role
9. Restricted/Unrestricted Programs
10. Special Populations and Special Programs
11. The State Bar's Role

Task force leadership. In March a task force was assigned to each capacity area and asked to produce a plan: assess the strengths and weaknesses of the current approach being taken, establish goals to strengthen and expand services, determine the steps and timetable to achieve those goals. For the sake of productivity and schedules, task forces were kept small (5-13 people) but did reflect the diversity of the legal services community, including geographical representation. (See Appendix B for task force membership.)

The task forces were critical to creating a new vision and blueprint for the Pennsylvania legal services community. They were made up of people who would provide leadership on the assigned topic. These individuals, because of their experience and own missions, could articulate a positive vision for the capacity area and could enroll others from the broader community in pursuing that vision. They were asked to objectively assess need, cost and benefit. But they were also asked to advocate a vision that would create new and exciting possibilities for assuring equal access to justice in Pennsylvania. The task force and planning process would become platforms that leaders could use to make the capacity as envisioned a reality. In doing so they would help create the best statewide system for Pennsylvania's low income populations.

Each task force met routinely (in person and by phone) between April and September. In May and September the task forces came together in facilitated, all-day conferences to present their visions and proposals to the State Planning Committee and all interested parties. The State Planning Steering Committee provided feedback to each task force - identifying issues to address and areas that needed development. The task forces were encouraged to be bold and persuasive.

The PBA Task Force on Civil Legal Needs of the Poor. The Pennsylvania Bar Association undertook a planning process in 1998 closely linked with the work of the statewide planning task forces, especially focusing on the adequacy of funding for legal services for the poor and on opportunities for expanding pro bono participation in providing access to justice for all Pennsylvanians. Many of the people serving on the PBA task force and its various committees also were engaged in the statewide planning process, effectively linking the two efforts. In September the PBA task force produced draft proposals to the PBA governing bodies which will significantly increase resources for providing access to justice for poor people. These include: raising \$10 million annually for civil legal services through filing fee surcharges and increases in the annual licensing fees for lawyers; annual reporting of *pro bono* participation by all Pennsylvania lawyers; and renewed efforts by the state's legal community to recruit greater *pro bono* participation in providing civil legal assistance to the poor.

Regionalization. It was clear that the goal of an integrated, comprehensive system available to every community requires coordinated efforts, collaboration among programs, central or regional

support systems, and, sometimes, program consolidation. Since mid-1997 the state community had been exploring regional planning to foster program collaboration and explore consolidation and mergers. From May to September informal conversations were held between programs and the Planning Committee and among programs about the best way to pursue regional collaborations and mergers.

As recommended by the Small Program and Configuration Task Force, Regional Councils made up of Programs in a geographical area were formed and, in September, began addressing the recommendations of the task forces for the region as a whole. Regionalization is a bold step that redefines the role and responsibility of program, bar and client leaders. Just as the task force structure asked people to become "state planners," regionalization asks people with service area responsibility to become a collaborative planner for a larger region with other programs.

On a parallel track, independent of the statewide planning process, some programs were consulting with each other about the possibilities of merging. The State Planning Committee encouraged these discussions. (In 1997 LSC had raised issues about the viability of some small programs. It placed six of them on one year funding and asked state planners to address ways of strengthening services to the service areas covered by those programs.) The State Planning Committee arranged for technical assistance to programs in planning mergers and created a climate in which productive discussions could be held. The opportunities for merger will become clear around the upcoming Regional Planning exercises.

Community level planning. As the task forces reached a point where the vision and proposals were clear the work of the task forces were translated into "Planning Guides" that went to each program and regional planning group to guide their community-based planning efforts. In many cases the task force plans called for collaboration among programs, program budget decisions, and for support in community and state funding decisions. The Planning Guides provided opportunities for programs and regional planning groups to respond to the vision & proposals: do they support the vision, how would they strengthen it, in what ways will they act on it, what levels of collaboration will they pursue? The programs and Regional Planning Councils use the Planning Guides to develop their own action plans and to provide feedback to the Task force leadership.

In July and August, local programs responded to the Program Planning Guides. In September the Regional Councils began responding.

With the publication of the Planning Guides the future role of each task force is assessed by the State Planning Steering Committee. Some end because their work is done. Others continue to operate to help in development, networking and implementation.

October report to LSC: a milestone event marking the first phase of planning. In September the Planning Committee created a planning milestone - an event to bring the work together and redefine the new state system. An all-day conference was held to review and reach consensus on the blueprint for the State's integrated, statewide system. A report describing the progress and the new system was approved and sent to LSC on October 1.

B. Outcome of the initial planning effort: *transforming a collegial confederation of independent programs into a statewide, integrated service delivery system.*

System transformation. Prior to 1998 the Pennsylvania legal services community was a confederation of independent programs that collaborated on a voluntary basis to share knowledge and expand resources. Historically, federal, state and local governments funded programs to provide services only within specific service areas or to specific special client bases. Programs were linked through a statewide support program, an association of program directors and a statewide client's council.

There had been many cases of coordination and collaboration among programs. However, there had not been the level of planning and system integration that assures clients have access to a full range of information and services regardless of where they are in the state. It had never been a state role to say it's not acceptable that those in need in one part of the state have less access than those in another part, or that clients in one area have less effective legal assistance than is available to clients in other parts of a state. There had not been the joint program planning that creates a statewide strategy in high leverage areas such as training, technology and resource development. The State Planning Committee and task forces saw this as an opportunity to build a stronger statewide system for clients.

As a result of the initial task force planning (March to September), a working consensus has emerged in the Pennsylvania legal services community: it can better secure equal justice for all by moving from being a confederation of independent programs to a statewide, integrated service delivery system. The intent of the new system is: every low income community and population group has access to the full range of legal services and legal remedies regardless of where they are in the state.

Nature of the statewide system. There is widespread and deep agreement on the fundamental nature and strength of the new statewide system:

- Independent community-based legal services programs are the foundation of the Pennsylvania system.
- All populations in need can be reached by supporting and linking a mix of independent geographic and specialty programs.
- There is a statewide community responsibility to assure that each independent program is viable and delivering the full range of quality services to its area or population.
- Independent programs often will need state support services and collaboration among programs to provide full access.

Pennsylvania's integrated statewide system consists of independent community-based programs defined by a geographical service area and by special population or type of problem. Independent

community-based programs are the foundation because they have proven to excel in responsiveness to community need and community engagement. They are uniquely able to:

- Establish the needs and priorities of low income persons in an area,
- Generate the local political and funding support necessary to meet the need,
- Provide client populations a productive voice in governance, and
- Effectively involve the local bar, courts, public interest law firms and social service agencies.

Strategic Direction. A strategic direction for the statewide system emerged from the planning process:

1. **Assure clients can access comprehensive services:** Every community will have access to the full range of legal services that its population can benefit from. Clients anywhere in the state will have access to a full range of legal remedies and a full range of services. Regional consolidation and collaboration will be required to meet this goal.
2. **Integrate the independent delivery systems and all legal resources:** programs and services will be operationally linked so that (a) clients throughout the state have easy referral to the most appropriate level and type of service, and (b) legal service attorneys have access to referral sources, resources, expertise and information to better serve clients. Legal resources such as the private bar, law schools, public interest law firms, and client organizations will be mobilized at the community and state levels and tied into programs. Planning, collaboration, and technology will be pursued to integrate organizations and resources at the working level.
3. **Pursue state level resource development for growth and stability:** The system will be made stable -- maintain current funding sources or replace them if they are cut -- and it will grow -- generate new sources of revenue to cover newly recognized needs.
4. **Invest in technology:** Computer-based work systems and communication systems will be used to increase productivity, collaboration and innovation. Programs, attorneys and support services will be linked electronically. Technology will be used to provide clients with easier access. A technology investment plan and statewide technology standards will be developed.
5. **Invest in people and their professional development:** Because poverty law is a dynamic field, legal staff will have access to on-going skill and knowledge development and to sources of specialized expertise. Because quality legal services is about professional relationships, commitment, and skill, it will be a statewide policy to invest in the professional development of the attorneys and staff serving the client

population.

6. **Create the climate and opportunity to pursue the best program configuration:** Through regional planning and by taking advantage of state level coaching and support, programs will explore the best organizational structures and configuration to meet the needs of the community.
7. **Create a structure and process to pursue productive collaboration among programs:** Through regional planning, community programs will develop partnerships and cooperative arrangements to control costs and provide a fuller range of services and legal remedies in a cost-effective way.
8. **Establish confidence of funding sources and the client community in service quality and benefit through program assessment:** All funding sources and client groups will be satisfied that the statewide legal services community is providing quality, efficient and comprehensive services in every community as needed. A credible, useful and cost-effective program assessment system will be developed.
9. **Tie planning to implementation and accountability.** Planning is seen as a dynamic force fostering innovation and growth. Planners at all levels - community, region, and state - will be responsible for implementing plans. Forums and processes for accountability, such as program assessment and planning reviews, will assure that plans are seen as commitments people and organizations keep.

Statewide structure. The 1998 statewide planning established an organizational structure for planning and managing the total integrated statewide system.

1. **Local client-based planning of service need and priorities.** An integrated network of independent community-based legal services programs (geographic and specialty) is responsible for establishing local service needs, priorities and support.
2. **Regional Planning Councils.** Programs will collaborate in planning the most cost-effective and comprehensive delivery system for the region, with technical assistance and guidance to programs in exploring merger possibilities. Two of the regions are discussing formal mergers of existing independent programs into single regional entities.
3. **On-going State planning for experimentation and innovation.** An on-going statewide planning process is in place using *task forces* to carry out such strategic exercises as:
 - Defining the need for and requirements of *statewide support core functions* (e.g., technology, training and resource development);
 - Assessing *service delivery system capacities* (e.g., intake/advice/referral systems) and developing proposals for improving them;

- Identifying the need for *statewide specialty programs* and developing strategies for forming and financing them.
4. **Central governance of the statewide integrated system.** Four state-level organizations — PLS, IOLTA, PBA, and PPDA — have committed to creating the integrated statewide system and have agreed to play an oversight role in assuring its success. The following governance structure has been agreed upon. It will be evaluated at the end of two years, in consultation with other stakeholders comprising the statewide legal services community, and appropriate changes will be made to address issues arising out of the evaluation.
- **A four-person Statewide Legal Services *Steering Committee* formed by PLS, IOLTA, PBA and PPDA** will oversee and guide the transformation of the Pennsylvania legal services network from a voluntary confederation of independent programs into an integrated statewide system. This Steering committee will carry out its role by:
 - Forming a *State Planning Council* to guide the ongoing statewide planning process through its next phases;
 - Recommending to funding sources the number, scale and requirements of central support functions and presenting proposals for funding and implementing them;
 - Providing oversight for a phased process of staffing and organizing the central support functions as part of the evolving statewide planning process;
 - Offering advice and counsel to PLS on ongoing administration of the central support functions.
 - **The *Statewide Planning Council*** formed by the Steering Committee will oversee and guide the statewide planning process. It will do this primarily by chartering task forces and orchestrating review and action on task force products.
5. **Accountability for central support functions.** Five state-administered core support functions are initially established:
- Resource development (Resource Development Committee)
 - Technology (Technology Coordinator)
 - Training (Training Coordinator)
 - Program assessment (a new Task Force will be chartered by the Statewide Steering Committee)
 - Intake, advice & referral systems (Task force will continue as volunteer committee guiding statewide implementation)

The *Statewide Steering Committee* will decide (subject to concurrence of appropriate Boards) on the number, scale and funding of the statewide support functions. It will manage the staffing and startup of the support functions in a phased manner as part of the implementation of the evolving planning process.

PLS will manage the support functions and be accountable for their performance. PLS will administer the core functions with guidance and support from volunteer committees selected from stakeholder organizations. The volunteer committees will be part of the PLS corporate structure. The PLS Board and management will routinely evaluate the performance of the support functions in meeting the needs of the programs and client population. The PLS Director will be responsible for the performance of the core functions.

This five-part structure calls for new roles and responsibilities. The processes, competencies and relationships needed to operate this structure are being developed.

Strategic initiatives to build the capacities. Guided by the legal service community, the Planning Committee has moved forward on a number of strategic initiatives to build the capacities as envisioned by the Task forces.

- **Intake, advice and referral:** a blueprint for a statewide network of intake systems that meet state "touchstones;" a state Task force with staff support providing leadership and coordination
- **Technology:** a plan to build a state wide communication system linking all service providers, programs and support system; minimum program standards of technological capability; establish a statewide technology coordinator; a state task force providing leadership.
- **Training:** pilot test a new structure for managing statewide training; Training and Legal Information Coordinator established; five senior attorneys assigned to lead substantive area task forces
- **Resource Development:** a statewide Resource Development Committee formed, overseeing a three-year rolling Statewide Resource Development Plan; a State Resource Development Coordinator position funded and staffed; a 15-point strategic plan proposed to preserve and expand existing funding sources and develop new funding streams at the state and local levels.
- **Statewide Accountability for Quality, Efficiency and Client Access to Services:** formal regions and regional planning councils formed; technical assistance in regional planning; support for program merger planning; core support functions established in PLS; statewide steering committee established responsible for statewide planning; program assessment used as a tool for assuring quality of service and client access to a full range of services everywhere in the state.

C. The regionalization of legal services planning & delivery: *the future for Pennsylvania legal services*

In 1997 the legal services community began meeting as regions to explore possibilities for collaboration and program reconfiguration. In September of 1998, the regionalization concept, guided by the work of the state planning task forces, took a dramatic step forward. Programs organized themselves into six working geographical regions and began regional planning efforts. *See Table I, which defines the six regions as of October 1, 1998. Some rearrangements may occur as regional planning discussions proceed.* These areas presented attractive opportunities to pursue reconfiguration planning; however, they do not preclude other partnership or merger arrangements from being pursued.

Moreover, in September, several regional exercises were run to define what kinds of collaborations were necessary to realize the statewide vision of an integrated delivery system. From those exercises emerged a working definition of the "minimum level of collaboration" needed to make regionalization work. The definition in *Table II* is the State Planning Committee's definition based on the initial reaction of LSC, PLS and IOLTA to the work of the regions.

Collaboration is seen as proceeding through three stages: commitment to a regional structure and vision, integration of operations, and accountability for delivering results on the vision. The six regions will develop the commitment during the latter part of 1998 and early 1999.

Table I
Six Regions For Planning
Collaborations Underway as of October 1, 1998

- 1. Northeast Region**
 - a. Susquehanna Legal Services** — *Counties of Tioga, Clinton, Lycoming, Union, Snyder, Montour, Northumberland, Columbia*
 - b. Northern Legal Services** — *Counties of Bradford, Sullivan, Susquehanna, Wyoming, Lackawanna, Wayne*
 - c. Northeastern Legal Services** — *Counties of Luzerne, Carbon, Monroe, Pike*
 - d. Lehigh Legal Services** — *Counties of Lehigh and Northampton*
- 2. Southeast Region**
 - a. Bucks County Legal Aid**
 - b. Montgomery County Legal Aid Service**
 - c. Legal Aid of Chester County**
 - d. Delaware County Legal Assistance**
- 3. Philadelphia**
 - a. Community Legal Services**
 - b. Philadelphia Legal Assistance**
- 4. South-Central Region**
 - a. Central Pennsylvania Legal Services** — *Counties of Perry, Dauphin, York, Lebanon, Lancaster, Schuylkill, Berks*
 - b. Legal Services, Incorporated** — *Counties of Fulton, Franklin, Cumberland, Adams*
 - c. Southern Alleghenys Legal Aid** — *Counties of Cambria, Somerset, Blair, Bedford*
- 5. Southwest Region**
 - a. Neighborhood Legal Services Association** — *Counties of Lawrence, Beaver, Butler, Allegheny*
 - b. Southwestern Legal Services** — *Counties of Washington, Greene, Fayette*
 - c. Laurel Legal Services** — *Counties of Clarion, Armstrong, Westmoreland, Jefferson, Indiana*
- 6. Northwest Region**
 - a. Northwestern Legal Services** — *Counties of Erie, Crawford, Mercer, Venange, Warren, Forest, McKean, Elk, Potter, Cameron*
 - b. Keystone Legal Services** — *Counties of Clearfield, Centre, Huntingdon, Mifflin, Juniata*

Table II
Minimum Level Of Collaboration:
The Elements Funding Sources Would Expect To Be In Place

1. Commitment to the Full Service, Integrated System

- 1(a) Vision.** Acknowledgment that the Regional area and population is large enough to support a full service legal service system and that the regional configuration selected will provide a full service system
- 1(b) Governance.** A formal regional governance structure at three levels: Board, Management and Client
- 1(c) Planning.** A planning discipline and practice that looks at the region through the lens of what a single entity could deliver at what cost, and shows how the configuration selected does it as well or better.
- 1(d) Commitment.** *A regional program development agenda and a regional resource development agenda with significant long range investments and well defined action plans:*
 - A written three year plan with critical milestone, benchmarks
 - Well defined linkages with state functions
 - Leadership voice in state planning task forces

2. Integration of Operations to Establish a Full Service System

- 2(a) Identity.** Regional service delivery system components with a regional identity and region-wide client access.
- 2(b) Innovation.** A formal process where program leaders in a service or functional area undertake "learning, experimentation, and replication of best practice".
- 2(c) Efficiency.** Well defined strategies for realizing administrative efficiencies.
- 2(d) Specialization.** Organizational structures to promote specialized legal representation and access to restricted services.
- 2(e) Referral standards.** Integrated referral with pro bono programs, law schools, social service organizations, specialty programs, ...
- 2(f) State linkages.** Participation in the state planning process, support functions and communication system.

3. Accountability

- 3(a)** A common approach to case management and quality assurance with outside quality of service review across all programs and projects involved.
- 3(b)** Formal annual review and update of 3 year plan.

D. The future of state planning: *commitment, follow through and continued innovation.*

The first phase of planning occurred from March to September 1998. It culminated in the adoption of the new state structure and submission of a report to LSC. At the end of this phase, the capacities and the work of the task forces are at different stages of development, as expected.

- Five of the task forces have completed their planning assignment:
 - Intake, Advice and Referral Systems
 - Technology
 - Training (of staff and pro bono attorneys)
 - Resource Development
 - Program Configuration
- Two of the task forces are getting feedback on their proposals:
 - Restricted/Unrestricted Programs
 - Special Populations and Special Programs
- Four of the task forces are in progress:
 - Barriers To Access (access to courts, community education, self-help)
 - Law School Role
 - State Bar's Role
 - Private Attorney Involvement

In the future, state planning will continue securing commitments on the proposals of the task forces, following through with implementation at all levels, and continuing experimentation and innovation through task force planning.

Commitments. Through its communication processes the Statewide Planning Steering Committee has developed a "working agreement" on the structure and strategic initiatives proposed by the Task forces. The Statewide Planning Steering Committee will continue to work with funding sources and stakeholders to secure formal commitments from these organizations. These discussions will help clarify and improve proposals and lead to stronger organizational ownership and commitment. Commitments will take the form of policy statements, funding decisions and personnel assignments.

Follow through. During October, November, December of 1998 the Statewide Planning Steering Committee will carry out four implementation tasks.

- 1. Develop formal proposals and plans for setting up the five core state functions.** The state planning task forces with lead responsibility will be asked to develop formal proposals (organization, budget, objectives, staffing, schedule) for each of the five core state support functions. They will be given the freedom and flexibility to design the most workable and effective organizational arrangements.

The task forces will present their proposals to the State Planning Steering Committee in

November at a two part conference. The first part will be development of the proposals. Steering Committee members will be assigned responsibility for reviewing each proposal. The presentation and review will be followed by work sessions to revise, improve and integrate the proposals. In the second part the Steering Committee will adopt a state support budget and plan for presentation to funding sources and the new Statewide Legal Services Steering Committee.

2. **Establish the state governance structure.** In December the new Statewide Legal Services Steering Committee will formally meet to set its charter and agenda. The current State Planning Steering Committee will organize and support this meeting.

The new Steering Committee will review for approval the budget and plan for state support functions that have been developed. It will also review for approval proposals to re-structure and continue the state planning process.

3. **Bring the regionalization discussions to closure on reconfiguration plans.** By the end of the year each program is expected to have entered into formal collaboration or reconfiguration arrangements with other programs. These agreements will be the vehicle for moving ahead with regional planning and service delivery integration.

In December, the new Statewide Legal Services Steering Committee will announce the state's plan for regionalization. It will describe the collaborations and mergers being pursued and the time schedule agreed to.

4. **Establish the next wave of state planning.** The current State Planning Steering Committee will prepare a plan for continued state planning and present it to the new Steering Committee in December. The plan will identify task forces that should continue, propose how to set up the volunteer committees that oversee the state support functions, and propose new task forces needed to advance the Pennsylvania vision.

Continued innovation. One part of the new structure is a commitment to experimentation and innovation through a dynamic state planning process. The Statewide Planning Steering Committee has pioneered a strategic planning process that has proven to be effective in moving the state community forward. Based on that experience that Committee proposes that the new *Statewide Steering Committee* and its *State Planning Council* continue to practice and develop that process.

The statewide planning process becomes one part of a three part planning structure:

- The cornerstone is *local planning* by independent geographic and specialty programs where community and client needs are identified and prioritized.
- *Regional planning* will occur as programs come together to form regional councils responsible for the performance of the region as a whole. The regional councils will address issues of service priorities and delivery system components beyond the reach of a program.

- *Statewide planning* will develop state capacities to support the network of programs and develop proposals and information for regional and local planners to consider.

State planning task forces are the vehicle for planning. They are the leadership voices generating the analysis, vision and proposals intended to systematically improve and grow the statewide system. The *State Planning Council* is responsible for chartering "planning task forces" to address areas of high strategic impact for the delivery system.

The planning task forces follow a disciplined process. They are asked to develop and advocate a vision for how the statewide system can be in the future and to work at enrolling stakeholders in that vision. The task forces are expected to develop the envisioned capacity and to communicate and enroll others in their vision.

Development

- Articulate and stand for a bold vision of a better system or practice
- Measure the current status of the statewide system against that vision,
- Identify best practices and models that can serve as benchmarks for cost, operations and benefits
- Develop an operational description and standards to define the proposed approach
- Propose strategies for building support, financing and implementation
- Propose action plans and budgets.

Communication and enrollment

- Prepare "Planning Guides" that will go to the regional planning councils and local programs for their consideration and input.
- Prepare proposals for the State Steering Committee
- Play a leadership role in enrolling individuals and organizations in the vision and proposals

Task forces were initially chartered for a specific short period of time. However, after Phase I planning is complete, some task forces will continue in order to provide the leadership, vision and energy needed to translate the commitments that have been made into action having real impacts on clients.

Part II:

Seven Capacities of Pennsylvania's Integrated Statewide System

This Part presents the findings and proposals that were prepared by eleven task forces engaged in the statewide legal services planning effort in 1998. It organizes the task force proposals into the following seven topic areas set forth in LSC's Program Letter 98-6:

- Intake, Advice and Referral
- Technology
- Access to the Courts, Self-Help and Preventative Legal Education
- Coordination of Legal Work Training, Information and Expert Assistance
- Private Attorney Involvement
- Resource Development
- System Configuration

1. Intake, Advice and Referral: *A Delivery Network That Maximizes Client Access, Efficient Delivery, and High Quality Legal Assistance*

Pennsylvania's Current System

Pennsylvania has the foundation for a statewide intake/advice/referral network. Ninety percent of Pennsylvania's legal services providers currently operate some kind of telephone intake system and provide legal advice over the phone.

At present, these systems are centralized at the local program level. Efforts are underway in three of the state's six regions to integrate these systems across program lines through collaborative efforts involving two or more neighboring programs and/or region-wide systems.

Local intake systems provide benefits for clients. The Task Force on Intake and Delivery found that a common strength of the existing locally based systems is the ability to incorporate local differences in practices of the county court systems and knowledge of local resources in their advice. Efforts in the future aimed at integrating intake systems across program lines will endeavor to preserve this benefit of responsiveness to local conditions.

Local variations also raise issues that need to be addressed. The Task Force found substantial variations in intake systems in place around the state in terms of hours of operation, staffing, use of technology, availability of intake and advice by phone, and other significant factors influencing quality of service and the degree of access afforded to clients. Among issues that need to be addressed are:

- To what extent can clients obtain information, advice and an appointment for further

service, if needed, by phone as opposed to having to travel to a legal services office for a face to face interview?

- To what extent is intake centrally organized to maximize efficiency and best use of skilled legal services workers?
- To what extent do intake workers have the information, technology, oversight and support they need to make accurate assessments of clients' problems and effective referrals to the appropriate people who can help them?

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision for the future: Clients in every county in Pennsylvania will have access to high quality, efficient and effective telephone intake and telephone advice.

Two major goals have already been accomplished. These provide a blueprint for Pennsylvania's statewide intake and advice system.

- **Eleven "touchstones" have been developed** by the Task Force to guide the evolution from independent, diverse intake systems into an integrated statewide system (see summary in Table III). These touchstones have launched the conversation about statewide standards of quality, efficiency and effectiveness for telephone intake and advice systems.

Table III:
***Eleven Touchstones of Pennsylvania's
Integrated Statewide Intake and Advice System***

1. The system must be client centered.
2. Brief service and telephone advice should be an expansion of the services provided, not a replacement for protracted or face to face representation.
3. There must be easy access for applicants.
4. Immediacy of access and follow-up services such as confirming letters and pamphlets.
5. Specialized intake units will expedite this process.
6. Technology is effectively utilized.
7. An applicant should be afforded one call to determine eligibility, receive telephone advice, and/or be given an appointment or an appropriate referral.
8. Client surveys must be utilized to provide feedback on the services provided and ease of client access to the intake system.
9. As courts throughout Pennsylvania differ in local practice and procedure, this system must be able to manage appropriate information on a county by county basis in providing telephone advice and in tailoring the materials sent to clients.
10. Applicants who do not fall within case acceptance policies should receive telephone advice and/or an appropriate referral if possible.
11. Centralizing intake and telephone advice can ensure new legal issues facing the low income community could be quickly identified and relayed to all appropriate programs.

- **The Task Force has compiled a profile of client eligibility screening and intake/advice systems** currently operated by legal services providers in the state.

There is wide support among legal services providers for statewide efforts to achieve this vision. In response to the Planning Guide survey that was done in July, 1998, providers saying, “*Yes, we’d participate*” in statewide efforts ranged between 63 and 80 percent for the four models that were proposed:

- Implement system locally
- Collaborate with two or more neighboring providers to implement a system
- Collaborate on a regional system
- Participate in a statewide system for filling gaps between local and regional systems.

1. Short term goals for achieving the vision:

- Within one year, 60 out of the state’s 67 counties will have access to a telephone intake and advice delivery system.
- Within one year, there will be a Pennsylvania statewide meeting held to discuss intake experiences and systems for telephone intake and advice.
- Within one year, the Task Force on Intake and Delivery will develop minimum standards or “indicators” defining what constitutes a high quality, efficient and effective telephone intake and advice system.

2. Long term goals for making the vision a reality:

- Within two years, a statewide “fill in the gaps” system will be put in place to provide telephone intake and advice to any area of the state not covered by local or regional systems.
- Within three years, all of the telephone intake and advice systems will meet the minimum statewide standards of quality, efficiency and effectiveness that have been agreed upon.

Major Steps and Timetable for Achieving These Goals

- The Task Force on Intake and Delivery will provide leadership and coordination of the statewide effort** over the next 1-3 years to integrate intake and advice systems into a comprehensive network that meets statewide standards for quality, efficiency and effectiveness.
- A statewide consultant will be retained** to provide centralized coordination and technical support to the Task Force in accomplishing the vision.
- A statewide conference on telephone intake and advice systems will be held** within

the next year.

- d. **The Task Force will develop Minimum Standards** or “indicators,” in consultation with stakeholders in the statewide community, for conducting telephone intake and advice systems. This will be done within one year.

2. Technology: *Coordinated Efforts and a Capacity to Utilize New and Emerging Technology to Assure Compatibility, Promote Efficiency, Improve Quality and Expand Services to Clients*

Pennsylvania’s Current System

Pennsylvania has 24 legal services provider organizations with 60 staffed offices providing services to low income clients, not including several non-LSC, non-PLS funded entities such as the Education Law Center, Disabilities Law Center and Womens Law Center. Many of these organizations have made significant investments in computer and telephone technology in recent years. As a result, they are now able to employ important communication resources in providing services to clients. For example:

- Five Pennsylvania programs have web sites providing information to legal and non-legal advocates, community organizations and clients;
- Half the programs provide every casehandler with a computer capable of running Windows 95/98 software.
- 68 percent of programs have Internet access
- 78 percent of legal services offices have e-mail.

The largest gaps are in “connectivity.”

- Only six programs are fully networked (within and between offices);
- Only one program provides Internet access for all casehandlers.
- Only two programs provide separate e-mail accounts for all staff.

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: Our advocacy will be supported by a statewide communications system linking all legal services providers in Pennsylvania in a seamless web. We will employ computer-based practice systems, access to documents, expertise and electronic discussion groups. Our community education material will reach many more clients. Our collective knowledge will support collaborative work. All staff will have desktop access to one another and to the Internet.

- a. All programs will meet statewide minimum standards of technological capability** necessary to exploit opportunities for enhancing efficiency and improving the quality of legal services for clients. Those standards are outlined in the report of the Task Force on Technology, and include the following:
 - Hardware capable of running Windows 95/98 (approximately 80 new computers will be acquired);
 - All local programs networked within offices and across offices;
 - All case handlers and key support staff equipped with individual e-mail accounts;
 - All offices, and ideally all individual casehandlers and key support staff, provided with access to the Internet;
 - All programs using Windows 95/98-based case management systems meeting statewide standards;
 - All programs using Windows 95/98-based financial accounting and budgeting software;
 - All programs having a written technology plan and a formally designated Technology Director
- b. Cyberspace, including the expanded use of public Internet web sites and private “intranets,” will be used to manage and distribute the collective knowledge of our community, including:**
 - Development and deployment of a statewide knowledge base appropriately accessible to clients and advocates;
 - Development and distribution of effective practice applications;
 - Implementation of pilot projects;
 - Dissemination of “best practices.”

- c. **Collaboration around technology planning, purchase and technical support will be maximized** to enhance cost efficiency and promote integration of delivery systems across program boundaries. This will include
- Joint purchases of computer and telephone systems;
 - Sharing of computer technical support staff and/or consultants.

Major Steps and Timetable for Achieving These Goals

a. **Several steps have already been carried out:**

- A statewide technology conference was held in November, 1997;
- Technology Directors are in place in all Pennsylvania programs;
- Web sites are now on-line in *five* Pennsylvania programs. A statewide e-mail conference site for technology directors has been established on Lehigh Legal Services' web site;
- A Technology Task Force is up and running, with active participation by Technology Directors and staff in most of Pennsylvania's provider organizations;
- Many programs have made the investments needed to achieve the minimum statewide standards for hardware and software. Pennsylvania is building on a strong base.

b. **The Technology Task Force will be institutionalized** as the Pennsylvania Statewide Technology Steering Committee to provide ongoing leadership for planning and supporting technology development over the next 1-3 years. It has outlined the steps and timetable described below.

- c. **A staff position of Statewide Technology Coordinator** at PLS will be created to support efforts at the statewide, regional and local levels to implement the technology work plan.
- d. **E-mail will be a common mode of communications** among legal services offices and staffs by December 31, 1998.
- e. **All programs will achieve statewide minimum standards** of computer capability by October 31, 1999.
- f. **Programs will convert from DOS-based case management systems to Windows 95/98-based systems** (either the Pennsylvania "LSCRS" system, Kemp's Cases or another suitable system) by October 31, 1998.

- g. A subcommittee of the Steering Committee will be formed to support local “Year 2000” audits and compliance efforts.**
- h. The Welfare to Work Self-Sufficiency Project has been adopted as a technology “guinea pig” pilot project for applying existing technology to enhancing service delivery.**
- i. The Statewide Technology Steering Committee will undertake collaborative efforts with other statewide task forces to support and promote integration of efforts that cut across functional lines involving technology; for example:**
 - The statewide training initiative will give a high priority to technology training, e.g., training in e-mail, the Internet and the use of computer technology.
 - Telephone intake and advice systems
 - Specialty programs
 - Pro bono development and private attorney involvement
- j. Funding will be sought to support statewide technology efforts.** While approximately half of the investment needed to achieve this vision will be local, system-wide funding will be sought to underwrite:
 - The position of Statewide Technology Coordinator;
 - Major additions to the system which enhance statewide communications;
 - Pilot projects testing new approaches to problems utilizing technology;
 - Continued operations of the Statewide Technology Steering Committee;

An additional investment of approximately \$1 to \$2 million and an effort spanning two to three years will be needed to achieve this vision. The Pennsylvania Technology Work Plan, summarized below and set forth in detail in Appendix C.2, identifies goals and specific steps for achieving Pennsylvania’s vision.

3. Access to the Courts, Self-Help and Preventative Legal Education: *Coordinated Efforts to Expand Client Access and Enhance Opportunities for Low Income Persons*

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: *Every low income person in Pennsylvania will have access to the Courts, administrative agencies, legislative bodies, preventative legal education and advice and other essential self-help opportunities through local programs and through alternative and non-traditional structures.*

Major Steps and Timetable for Achieving These Goals

The Task Force on Barriers to Access has outlined the following steps and timetable:

- a. A survey will be performed by July, 1999 to assess the infrastructure in place throughout Pennsylvania** that would support expansion of alternative and non-traditional methods of providing access to the legal system, including:
 - Which communities have cable access television in order to make use of community education materials;
 - The extent to which community libraries have Internet access available at no charge to low income individuals;
 - The capacity of legal services programs to provide on-site services to homebound people, residents of nursing homes and MH/MR facilities and others unable to travel;
 - The extent to which low income people can access key parts of the legal system (courts, administrative agencies, legislative agencies) by the use of "800" toll-free lines;
 - The extent of pro se, pro bono and other mechanisms currently in operation, including the granting of in forma pauperis status, in each county in Pennsylvania;
 - The extent of hotline or brief service systems currently in place, including accessibility after normal business hours;

- Barriers to access by those who have disabilities which prevent them from using or understanding *pro se* forms that may otherwise be available.
- b. Support will be sought from every county bar association and Court of Common Pleas** for implementation of *pro se* systems.
- c. Funding will be sought** to support:
- Production and dissemination of videos and other self-help materials;
 - Systems and documents to be made available to clients in every county.
- d. Implementation of self-help and alternative systems will be underway by December 31, 1999**, including:
- Distribution of self-help videos to every public library in Pennsylvania;
 - Electronic publication of self-help and legal education materials via statewide and/or local program Internet web sites;
 - Application of Pennsylvania's expanded technology capacity to provide community legal education and self-help materials as a part of pilot collaborations such as the Welfare to Work Self-sufficiency Project.
- e. Collaborative efforts for extending self-help and community education resources will be recognized by the statewide community** as a significant way for programs to meet their responsibility to participate in the integration of the Pennsylvania statewide legal services delivery system. Significant collaborative efforts around *pro se*, *pro bono* and community legal education *in each region* will be strongly encouraged as a part of the regional planning efforts taking place during the first six months of 1999.

4. Coordination of Legal Work, Training, Information and Expert

Assistance: Necessary for the Delivery of High Quality Legal Assistance

Pennsylvania's Current System

A significant amount of legal services training is done in Pennsylvania, at local regional, and statewide levels. For example, in response to the Planning Guide survey that was distributed in July, 1998, 58 percent of programs indicated they currently do training that potentially could be of value to other programs, and 74 percent said they collaborate on training with other programs in their regions.

Issues to be addressed. In reviewing the status of Pennsylvania's systems in this area, the Task Force on Training and Access developed proposals that address the following issues:

- Duplication of training efforts;
- Duplication with regard to screening and summarizing new developments in the law;
- Lack of information about specialized expertise that is available around the state as a resource to advocates lacking experience with a particular type of case they have.
- Limited sharing of forms and briefs among programs;
- Limited program resources blocking full access to training, mentoring and other professional development opportunities that are available;
- A lack of training opportunities directed at support staff or at skills training as opposed to substantive law training.

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: Every legal services board member, employee, and pro bono volunteer in the state will have access to training, mentoring and information needed to deliver high quality legal services in an efficient manner to eligible clients.

- a. **Training and professional development will be made a central part of the Pennsylvania integrated statewide system.** Training will be stimulated, coordinated and supported at the statewide level.
- b. **Technology will be aggressively used to achieve our vision.** Pennsylvania's expanded communications capacity, resulting from statewide investment in computer and phone technology and adoption of statewide technology standards as outlined by the Technology Task Force, will be applied as a principal vehicle for increasing the sharing of training, specialized knowledge and skills across the state. Applications will include:

- Web site postings of all training announcements from local programs;
 - Posting of training materials;
 - E-mail conferences along legal specialty, job function and/or skills lines;
 - Use of e-mail and electronic transmission of documents among people collaborating on training design and production
 - Internet posting of “resource banks;” e.g., lists of people available as trainers, mentors or consultants, with information regarding types of expertise offered.
- c. **The substantive task force system will be re-engineered and reinvigorated as a core part of the integrated statewide system.** Each substantive law task force will be led by a funded, statewide Senior Attorney, and each program will appoint Lead Advocates among their staffs to serve as liaisons to each of the five substantive task force areas in which the program is engaged.

Major Steps and Timetable for Achieving These Goals

A six-month pilot project will be initiated to test a new structure for managing training as a core function of the Pennsylvania integrated statewide system. The Task Force on Training and Access has outlined the following steps and timetable:

- a. **A new statewide core function: coordination of training and specialty task forces.** The following positions will be filled by January 1, 1999, with duties as outlined in the report of the Task Force on Training and Access:
- One Training and Legal Information Coordinator (full time) at PLS; and
 - Five Senior Attorneys (25 percent time each) in each of the following substantive areas: Consumer/Housing, Welfare, Employment, SSI and Family.
- b. **New positions in each local program.** Each local program will appoint a Training-Responsible Person and “Lead Advocates” in the substantive areas in which the program is engaged by December 15, 1998.
- c. **Six month trial period.** The Coordinator and Senior Attorneys will carry out the duties outlined in the Task Force report during the six month period January 1- June 30, 1999.
- d. **Evaluation and adjustment.** The Task force will evaluate the Pilot Project and make recommendations to the statewide community by May 31, 1999 regarding adjustments in the system and next steps.

5. Private Attorney Involvement: *Coordination, Collaboration With, and a High Degree of Involvement by the Private Bar*

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: *All clients in need of pro bono assistance will have access in each county or region to trained, well-supported willing legal representatives. One hundred percent of Pennsylvania's county bar associations will participate in county bar sponsored/supported pro bono programs.*

The Task force on Private Attorney Involvement outlined the following goals for improving pro bono services in Pennsylvania:

- a. Enlist the local and state judiciary in the cause of pro bono.
- b. Mobilize every local bar association to declare pro bono a priority.
- c. Publicly recognize individual volunteers and active firms.
- d. Adopt creative recruitment methods.
- e. Designate a pro bono coordinator in every county or region.

Major Steps for Achieving These Goals

1. Pro Bono Recruitment. The Recruitment Committee of the PBA Task Force on Civil Legal Needs of the Poor has proposed the following steps for adoption by the PBA:

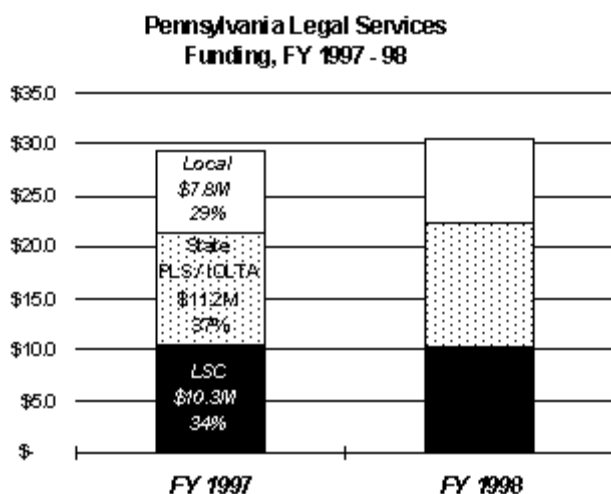
- a. Establish and coordinate Strike Forces and Peer Review Groups of seasoned pro bono attorneys who will assist county bar associations in the establishment and improvement of pro bono programs in every county in Pennsylvania.
- b. Establish a joint program engaging the PBA, the Conference of County Bar Leaders and Pennsylvania Courts to utilize the resources of the Courts to stimulate and encourage more pro bono volunteerism among members of the bar.
- c. Work together with the Courts and the leadership of Pennsylvania's seven law schools to establish law school programs which will expect and encourage volunteerism of their law students.

2. Annual Pro Bono Reporting. Another committee of the PBA Task Force has drafted a proposed Supreme Court ruling that would require that all attorneys must, as a condition of renewing their license to practice law in Pennsylvania, report their pro bono activity over the preceding twelve months in terms of hours doing pro bono work and/or amount of monetary contributions contributed to organizations providing legal services for the poor.

6. Resource Development: *Diversified Funding and Coordination of Resource Development Efforts*

Pennsylvania's Current System

As summarized in the graph below, Pennsylvania legal services programs receive approximately a third of their support from the federal Legal Services Corporation (LSC) and the remainder from state and local sources.



The PLS network provides the statewide framework. The network of programs funded by Pennsylvania Legal Services (PLS) is the core of the statewide legal services system. PLS distributes state-appropriated legal services funds as well as IOLTA funds to 24 independent, community-based legal services organizations. PLS oversees recipients' compliance with statutory and administrative requirements as well as statewide standards for quality, efficiency and effectiveness.

Pro bono resources are crucial. In addition to the dollars distributed by PLS, pro bono efforts of the private bar are a critical resource for legal services to the poor in Pennsylvania. PLS-funded programs work closely with local county bar associations to marshal pro bono efforts of local attorneys to augment the capacity of legal services staff to provide basic legal services. Many of these programs work with the seven Pennsylvania law schools, as well as other public interest law firms to improve access to the justice system for the poor.

Broad support for legal services provides a solid platform. A broad and effective statewide coalition has made Pennsylvania a national leader in securing funding for access to justice at all levels — state, national and local.

- a. **State funding.** In FY 1997, state funds represented 37 percent of total legal services funding. The leadership of the organized bar, most prominently the Pennsylvania and the Philadelphia Bar associations, as well as the sustained efforts of religious groups, client

groups, the legal services union and AFL-CIO representatives, local legal services boards and others have been crucial factors in successful efforts to secure and preserve state funding. These included converting the voluntary Pennsylvania IOLTA program to mandatory and preserving state appropriations for legal services.

- b. Federal funding.** In fiscal year 1997-98, approximately one-third of legal services support came from LSC. Pennsylvania's broad-based local and statewide support for legal services proved crucial in recent years when Pennsylvanians played key leadership roles in Congress in support of continued funding for LSC.
- c. Local support.** Almost 30 percent of total legal services revenues come from local sources — county governments, United Ways, Area Agency on Aging contracts and the private bar. This support reflects strong engagement of legal services boards and staffs in community-wide efforts to address the needs of low income people.

Although many efforts have been successful, more funding is needed. The Pennsylvania Task Force on Resource Development estimated that more than 80 percent of low income people who need legal services are unable to get them due to lack of resources.

Opportunities for reducing the “80 percent gap” through investment. Recent advances in legal services delivery present unprecedented opportunities for highly-leveraged, high-impact investments in legal services. These have the potential of dramatically reducing the 80 percent shortfall over the next ten years. They include:

- Development of models for efficient, high-quality telephone intake and advice systems that greatly increase the numbers of people assisted while freeing up legal services staff to concentrate on complex matters requiring their specialized skills.
- Development of Internet-based e-mail and communications systems that now make possible an unprecedented level of regional and statewide collaboration among organizations and advocates who historically have been isolated by barriers of time, distance and cost.
- Expanding use of the Internet to provide self-help and community legal education materials and resources directly to the low income community as well as indirectly through community organizations and advocates serving the poor such as social workers, teachers, religious organizations, schools, and libraries.

As outlined elsewhere in this Plan, some of the 80 percent shortfall can be addressed by integrating the individual efforts of legal services providers into a seamless statewide system and making every dollar count through improvements in administrative and service delivery efficiency and effectiveness. Significant infrastructure investments will be needed to realize these opportunities. Additional progress will be made by expanding the pie — by finding new funding streams to expand the numbers of skilled people working to achieve equal access to justice.

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: *We will preserve and enhance existing statewide funding, and will carry out successful campaigns to secure new statewide funding. Moreover, the statewide legal services community will support local programs in their efforts to raise new funds.*

Preservation and expansion of existing funding streams and development of new ones. The Task Force on Resource Development has developed a plan that outlines 15 initiatives:

1. **Filing fee legislation** *Significant \$\$*
2. **Cy Pres Awards** — applying the *cy pres* doctrine to designate legal services programs as the recipients of residual class action funds *Significant \$\$*
3. **IOLTA revenue enhancement** — seeking lower bank service charges and/or more productive bank products such as “sweep” accounts *\$2 Million*
4. **Increase in registration fees** — designating the increase to the provision of civil legal services to the poor *\$1 to \$2 Million*
5. **Restoration of Title XX funds** *\$1 Million (restored)*
6. **Expanded local campaigns** — new funding from firms, individuals, corporations, foundations, bar associations and their foundations, churches, United Ways, and other federated campaigns *\$0.6 to \$2.0 Million (including existing)*
7. **Increased state appropriation** *\$0.5 Million*
8. **Local and regional support for resource development** — each local program (or regional consortium of programs) will be required to take responsibility for increasing resources in Pennsylvania and to commit sufficient resources to fundraising efforts *\$0.5 Million (new funding)*
9. **Increased law school participation** — support to, or collaboration with, legal services program operating clinics, intern and extern programs in the practice of poverty law, loan forgiveness or repayment programs and other initiatives *\$0.3 million (including current)*

10. **Increased pro bono assistance** *Double current levels (in-kind)*
11. **Pro bono incentive program** — vouchers for no-charge
CLE programs in return for
providing pro bono services *\$0.25 - \$1.0 Million*
12. **Planned Giving** — developed and marketed to support
a Legal Services Endowment Fund *\$0.1 to \$1.0 Million*
13. **Support for pro se projects** — to design appropriate projects,
county-by-county *\$0.12 Million*
14. **Centralized statewide technical assistance and support**
for local fundraising efforts *\$Uncertain*
15. **Tobacco attorney fees** — donations to legal services
as an opportunity for charitable giving *\$Uncertain*

Major Steps and Timetable for Achieving These Goals

The Task Force on Resource Development has outlined the following steps and timetable:

- a. **A Pennsylvania Resource Development Committee** will be established by October, 1998. Knowledgeable and committed members of the legal services community will be recommended by the PA Project Directors Association, PLS, IOLTA and the PA Bar Association.
- b. **Resource development plan.** The Committee will develop by April, 1999, and oversee implementation of, a three-year rolling Resource Development and Support Plan. The Plan will address:
 - Maintaining existing statewide funding streams, and
 - Setting and achieving statewide and resource development goals to increase new sources of support on a short and long term basis.
- c. **Endowment fund.** The Plan will outline efforts to establish a statewide Legal Services Endowment Fund.
- d. **New statewide core support function: coordination of resource development.** The Committee will be funded from existing statewide funding sources and staffed by a development professional to be hired by PLS by October, 1998.
- e. **Plan implementation.** Implementation of the Plan will begin by May, 1999, with ongoing Committee oversight.

7. System Configuration: *Maximizing the Effective and Economical Delivery of High Quality Legal Services Throughout the State*

Pennsylvania's Current System

Historically, the Pennsylvania legal services system has been a confederation of independent local programs linked through a statewide support program, an association of program directors and a statewide client's council. Twenty three programs receiving state and IOLTA funds are overseen by the statewide support program, Pennsylvania Legal Services (PLS); these consist of the following:

- **Seventeen geographically-based programs** that collectively cover each of the state's 67 counties, and,
- **Six specialty programs** that focus either on specific legal problem areas (the Pennsylvania Health Law Project, the Pennsylvania Utility Law Project and Regional Housing Legal Services) or on the needs of populations having special legal needs (the Farmworker's Project, the Pennsylvania Institutional Law Project and the Community Justice Project).

A number of non-PLS, non-LSC programs such as the Education Law Center, the Disabilities Law Center and the Women's Law Center have historically been included in the statewide system only informally through individual consultations and collaborative efforts with individual "PLS-internal" programs.

A strength of Pennsylvania's system is its solid foundation of community-based programs. Because of its structure it excels in responsiveness to community needs, local community control, close linkages with local networks of community organizations serving the poor, and strong local political and funding support. These features have produced significant benefits for clients, not the least of which has been the ability to maintain services with local and state funding when federal funding was drastically cut and restrictions imposed in 1996. Pennsylvania is a strong performer nationally with regard to diversification of funding and percentage of total funding provided through state and local sources.

The current system also has significant limitations that will be addressed through the new integrated system. A decentralized structure of independent local organizations, some of them small and linked only informally and collegially, can suffer from a range of problems including inefficiencies and functional duplication, lack of coordination, local variations in the types or quantities of services that are offered, inconsistent quality in service delivery, and difficulties capturing a critical mass of resources such as private lawyers willing to do pro bono work.

A statewide commitment: addressing the limitations of the existing system while at the same time preserving the features that deliver major benefits to clients. The Pennsylvania legal services community is committed to setting and enforcing a high standard of performance everywhere in the state on measures of quality, efficiency and range of services available to clients.

Goals for Strengthening and Expanding Services to Eligible Clients

***Pennsylvania's vision:** We will provide every low income community and population group with access to the full range of legal services and legal remedies regardless of where they are in the state. The services that are provided will meet statewide standards for quality, efficiency of delivery and effectiveness.*

- a. **The statewide community will take responsibility for full access, efficiency and quality of services.** Local programs will be required by state funders (PLS and IOLTA) to participate in regional and statewide efforts to realize the statewide vision. They will be regularly assessed on the basis of this requirement, and appropriate followup action will be taken when required. A variety of opportunities for inter-program and regional collaboration will be explored in the next phase of the statewide planning process, including initiatives to:
 - Fill existing gaps that appear in some parts of the state, or with particular client populations, in terms of access to a full range of legal services and remedies;
 - Link every program into a seamless statewide communications network to allow for sharing of expertise, information and resources by every service provider;
 - Develop referral mechanisms to ensure that clients with special legal needs are matched with appropriate specialized services, including those which LSC-funded programs are unable to provide.
 - Provide every advocate with the training, professional development and information needed to efficiently delivery high quality legal services to clients;
 - Develop funding streams needed for expansion of client access to the justice system and continually improving quality and efficiency;
 - Assess quality, efficiency and effectiveness of services provided, and taking appropriate steps for ensuring these factors meet statewide standards;
- b. **Local programs will be provided with technical assistance and a supportive climate for exploring restructuring possibilities.** Currently, three groups of programs are availing themselves of state support for merger discussions. Program mergers can, in some instances, offer long-term benefits to clients in the form of administrative efficiency and access to a critical mass of resources needed for program viability. At the same time mergers raise difficult issues that need to be carefully evaluated and addressed. Specific local circumstances will dictate whether a merger will in fact be in the long-range interests of clients. The Pennsylvania statewide community will encourage program discussions of merger possibilities and will provide *pro bono* technical assistance through a private law firm that has volunteered to provide these services at no cost.

- c. **Pennsylvania's confederation of independent legal services programs will be transformed into an integrated statewide delivery system.** Five core statewide functions will be established initially:
- Computer and communication technology
 - Resource development
 - Training and expert networks
 - Assessment of local and regional programs
 - Intake and access systems
- d. **Formal regions and regional planning councils will be established.** These will assure every community has access to all the types of services from which its population can benefit.
- **Local programs will form regions for purposes of planning and collaboration.** Each region will have a permanent planning council composed of stakeholders from each program within the region. The councils will develop an annual plan and oversee implementation of the plan.
 - **Regionalization enables programs to:**
 - Fill gaps in the local service delivery system;
 - Realize administrative efficiencies through such means as administrative or financial consolidation, out-sourcing of functions, or program mergers;
 - Partner in program and resource development initiatives; and
 - Develop the relationships needed to pursue restructuring when needed.
 - **Regional planning exercises will enable programs to explore** how they can achieve objectives through a regional planning effort that are not possible through local efforts alone. Through regional planning the programs will explore the possibility of collaborative efforts in, for example:
 - **Service delivery** — intake, advice and referral systems; sharing of specialized expertise; community legal education, pro bono and pro se systems; filling gaps imposed by service restrictions.
 - **Administration** — consolidation of administrative functions, outsourcing, technology;
 - **Development** — program development, resource development, and professional development (training and mentoring).

Major Steps for Achieving These Goals

- a. **A statewide Steering Committee will oversee the policy of statewide support functions.** Four state-level organizations -- PLS, IOLTA, the State Bar of Pennsylvania, and the Pennsylvania Project Directors Association (PDA) have committed to there being an effective state support system and have agreed to play an oversight role in assuring its success. The Steering Committee will assure that:
 - Local programs and their regional collaborations have the support systems they need to meet client needs, and
 - Each community in Pennsylvania has access to a quality, efficient, community-based program and to the full range of legal services and remedies that can benefit clients in that community.
- b. **Pennsylvania Legal Services (PLS) will manage the support functions and be accountable for their performance.**
 - The support system will be made up of core functions, each with a committee of volunteers from stakeholder organizations to help guide, carry out and assess the work. The committee chairs will be recommended to PLS by the Statewide Steering Committee.
 - The volunteer committees will be part of the PLS corporate structure. The PLS board and management will routinely evaluate the performance of the support functions in meeting the needs of the client population and legal services providers.
 - The PLS director will be responsible for the performance of the core functions. Any staff assigned to these functions will be hired, or contracted for, by PLS.
- c. **Regular assessment of local programs and regional planning efforts will assure collaboration, efficiency and quality of service and compliance with statewide standards.**
 - A routine, centrally-administered assessment function will be developed to assess local program and regional quality and compliance. Guided by past experience with the PLS assessment process, a statewide task force will be chartered by the Statewide Steering Committee to develop a method and process for assessing regional and local delivery systems under the statewide plan.
 - The state Steering Committee and PLS will expect each program to initiate the level of collaboration required to meet the vision that
... Every low income community and population group in the state will have access to the full range of legal services and legal remedies regardless of where they are in the state. The services that are provided will meet statewide standards

for quality, efficiency of delivery and effectiveness.

- Funding sources will be offered the opportunity to use one central program assessment vehicle to meet their oversight and evaluation responsibilities. The PLS state assessment effort provides the opportunity to consolidate, streamline and improve the utility of the monitoring carried out by the various funding sources. The state Steering Committee and PLS will offer to be accountable to all funders for the quality and compliance of programs funded.

Part III: Three Additional Capacities of Pennsylvania's Integrated Statewide System

Part III outlined how the Pennsylvania integrated statewide legal services system is organized to address the seven “capacities” identified by LSC in its Program Letter 98-6. This Part describes three additional capacities which Pennsylvania considers to be crucial:

- Providing specialized legal services and/or serving special client populations
- Engaging Pennsylvania's seven law schools in efforts to achieve full access to justice
- Providing LSC-restricted services

8. Specialty Programs: *Addressing the Specialized Needs and Legal Problems of Pennsylvania's Low Income Community*

Pennsylvania's Current System

Pennsylvania has six PLS-funded specialty programs that focus either on specific legal problem areas (the Pennsylvania Health Law Project, Regional Housing Legal Services and the Pennsylvania Utility Law Project) or on the needs of populations having special legal needs (the Farmworker's Project, the Pennsylvania Institutional Law Project, and the Community Justice Project).

There are also a number of non-PLS, non-LSC specialty programs such as the Education Law Center, the Disabilities Law Center and the Women's Law Center have historically been included in the statewide system only informally through individual consultations and collaborative efforts with individual “PLS-internal” programs.

Some geographic-based programs have specialized units or projects. For example, some have units that specialize in housing issues such as eviction defense and assistance to community organizations working to develop affordable housing. Others have family law or consumer law units.

There are significant needs for greater coordination of efforts among these programs. Among issues to be addressed are:

- Lack of knowledge among intake workers and legal services advocates about specialized programs and resources available for consultation or assistance;
- Duplication of efforts among specialists — e.g., in monitoring and summarizing developments in poverty case law;

- Gaps in coverage of legal specialties or in addressing the needs of particular client populations due to lack of resources of individual independent programs;
- Administrative inefficiencies due to the need to duplicate functions in each program.

Goals for Strengthening and Expanding Services to Eligible Clients

Pennsylvania's vision: High quality, coordinated, efficient and effective legal assistance will be available to clients throughout Pennsylvania facing extraordinary problems of access to the justice system and/or needing highly specialized legal help.

The Task Force on Specialty Programs outlined several goals for addressing the issues they found:

- Making specialized resources in the state better known and easier to find** for non-specialists who need specialized help and information when serving clients;
- Improving referral networks** to make specialized assistance available to clients in parts of the state where specialty programs or units do not exist;
- Reducing duplication of efforts and eliminating coverage gaps** that arise out of the lack of a centralized coordinating function operating across program lines;
- Improving administrative efficiency; capturing economies of scale.**

Major Steps for Achieving These Goals

The Task Force outlined several steps that should be taken:

- Explore new relationships and structures to enhance efficiency and effectiveness.**
Among options that have been discussed are program mergers, outsourcing of functions, and consolidation of financial operations. Efficiency gains would be applied to leverage expanded services to clients.
- Integrate delivery of specialty services** through collaborative efforts to extend a full range of specialized services to all community in Pennsylvania and to all significant segments of the low income population. Initial steps would include periodic review (perhaps quarterly) meetings of representatives of specialty programs and projects and creation of a centralized information clearinghouse.

The current network of PLS- and LSC-funded programs would be expanded to more effectively include non-PLS, non-LSC specialty programs. Meetings have been held on a monthly basis in the Philadelphia area with organizations such as the Women's Law Center to increase collaboration and coordination of efforts. Efforts such as these would

be extended to include programs throughout the state.

- c. Gaps and duplication issues would be addressed.** Specialty programs would explore reconfiguration options as needed to address the issues that arise out of these efforts. Among factors that would be considered in this effort would be:

- Restrictions imposed by funding sources such as LSC;
- Population and/or economic shifts;
- Levels and sources of funds;
- Client interests; and
- Special needs.

- d. Increase coordination of specialty services with geographic-based programs.** Among efforts that would be pursued are the following:

- Development of brochures and other written materials describing the specialty services that are available;
- Production of at least one coordinated training event per year for geographic programs;
- An inventory of specialized services offered by specialty programs and by specialty units within geographic programs. This would help to better identify gaps in services as well as duplication of services.
- Identification and development of “best practices” in specialty areas;
- Appointment of one contact person in each geographic program to be a liaison with specialty programs.

9. Restricted and Unrestricted Services: *Ensuring a Full Range of Legal Services to Low Income People Throughout Pennsylvania*

Pennsylvania's Current System

Restricted funding. Thirty-six percent of the funds available to support legal services in Pennsylvania come from the Legal Services Corporation (LSC) and are subject to Congressionally-imposed restrictions. Those restrict who can be served and what types of services can be provided. The May, 1998 interim report of the Pennsylvania Task Force on Restricted/Unrestricted Services outlines the types of restrictions that apply to recipients of LSC funds.

In reality, even a larger percentage of Pennsylvania's funding falls under Congressional restrictions. The 17 LSC recipients receive substantial amounts of other funding — from PLS and other state and local funding sources — that carry *no* restrictions. However, in order to qualify for LSC grants, those organizations must agree not to engage in any of the Congressionally-restricted activities. As a result, *all* of their funding, not just their LSC restricted funding, winds up being subject to the restrictions. A total of 75 percent of the legal services funding in Pennsylvania currently is *de facto* restricted in this way.

A significant portion of the remaining unrestricted funds go to five specialty programs that do not handle the types of services that LSC grantees are prohibited from performing. So those funds are not available to support LSC-restricted work. This reduces the total amount of funding available to do restricted work to only *eight* percent of total statewide legal services funding.

Clients outside Philadelphia face great difficulties in obtaining LSC-restricted services. While 100 percent of IOLTA/PLS funding to Philadelphia County is unrestricted (because they go to a non-LSC provider), only four percent of IOLTA PLS funding provided for services to the remaining 66 counties in Pennsylvania remain outside LSC restrictions.

The Task Force on Restricted/Unrestricted Services has identified the service gaps that arise from the restrictions. Those are listed in the Task Force's report. Three are especially severe:

- Services to incarcerated people outside of Philadelphia;
- Services to immigrants who are not farmworkers and who are outside of Philadelphia;
- A lack of knowledge among legal services intake workers about where to refer clients needing restricted services.

Goals for Strengthening and Expanding Services to Eligible Clients

***Pennsylvania's vision:** Clients everywhere in Pennsylvania will have access to a full range of legal services and legal remedies for addressing their legal problems.*

- a. Reallocate funding to “un-restrict” services.** Residents everywhere in the state, and/or special client populations that currently need unrestricted services but are not covered by an unrestricted program would be covered.
- b. Extend services to inmates and low income immigrants,** two groups that currently have little or no access to civil legal services.
- c. Improve the capacity of intake and referral systems** to identify clients in need of restricted services and to link them with providers of those services.

Major Steps for Achieving These Goals

- a. Development of an intake manual.** PLS and the task forces on Specialty Programs and Restricted/Unrestricted Services will collaborate to develop and distribute to all legal services offices a manual for intake workers that provides information on where to refer clients needing specialized and/or restricted services.
- b. Consideration of funding reallocation** in upcoming regional planning discussions about delivery system integration.
- c. Identify attorneys and organizations who will handle restricted cases.** The Task Force will develop a list of attorneys and organizations who have agreed to handle LSC-restricted cases that are important to legal services clients.

10. The Role of Pennsylvania's Seven Law Schools: *Collaborations to Strengthen Provision of Legal Services to Pennsylvania's Low Income Community*

Pennsylvania's Current System

Each of the seven Pennsylvania law schools have developed clinical legal programs designed to enable students to acquire skills and experience in the practice of law. The focus of such clinical work has often involved provision of assistance to the indigent. In a few instances, these efforts have resulted in partnered programs in which law school students provide representation to the poor under the supervision of legal services programs.

These programs were given significant impetus with the establishment of IOLTA grants to the law schools in 1997. Ongoing collaboration with legal services programs is now reflected in IOLTA-funded projects for 1998-99 involving six of the seven Pennsylvania law schools.

Goals for Strengthening and Expanding Services to Eligible Clients

The Task Force on Legal Services/Law School Collaboration developed an action plan with five goals:

- a. Maintain and enhance existing clinical programs.
- b. Foster a commitment by all Pennsylvania law schools to encourage students to provide pro bono services.
- c. Encourage law schools to develop new courses, programs and policies that will increase the opportunity for law students to be involved in substantive legal services related work.
- d. Increase collaborative efforts between law school faculty members and legal services attorneys.
- e. Increase access to law school library resources.

Major Steps for Achieving These Goals

The Task Force on the Role of Law Schools has outlined the following steps:

- a. **Institutionalize the Task Force as a permanent Committee within the statewide legal services planning structure.**
 - The clinical directors of each of the seven Pennsylvania law schools, who comprise the core of the Committee, have committed to being responsible for implementing the Committee's action plan.
 - The Committee has representatives of principal stakeholders including legal services

programs, the Pennsylvania Clients Council, PBA, PLS, and IOLTA.

- b. Designate a clinical faculty member in each law school as “gatekeeper”** to foster collaboration between law school faculty members and legal services attorneys.
- c. Initiate a “Placement Directory” for law students**, providing a data base of legal services providers and other public interest firms seeking student volunteers for pro bono projects.
- d. Formulate additions to law school curricula** that increase opportunities for students to be involved in substantive legal services related work. For example, a policy is being implemented this fall by the U. of Pittsburgh School of Law, adding practicums to, or allowing their substitution for, upper level seminars taught by full time faculty.
- e. Convene a statewide meeting** involving clinical faculty and legal services staff currently involved in clinical placements as a forum for enhancing collaboration and fostering current and future action initiatives. The Committee will seek IOLTA funding for the event.

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